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Written statement* submitted by Prahar, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 August 2018]

* Issued as received, in the language(s) of submission only.

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Endangered Indigenous of India

Assam has been appropriately described by some as 'the Shangrila of the North-Eastern India'. But despite having all natural beauties the indigenous communities of North eastern states of India have lost their identity, their rights in their own birth place.

Illegal migration into Assam from its bordering areas has been posing a critical and crucial security threat to the identity of indigenous people of North East India specially Assam. It has been adversely effecting the social, Economic and Political environment of Assam and other North Eastern states.

The influx of illegal immigrants created a crisis of identity among the indigenous people of Assam. But, unchecked migration was a cause of huge worry for the local inhabitants of Assam. It increased the pressure on the land and caused depletion of forest cover.

We have been consistently inform about this serious matter to this esteemed council since 31st session to till now both verbally and non verbally. But we are still un hear and waiting for justice.

Unfortunately, the Special Rapporteur on minority issues, Special Rapporteur on Contemporary forms of Racism, Racial discrimination, Xenophobia and related irtolarance, Special Rapporteur on Promotion and Protection of the Right to Freedom of Opinion and Expression and Special Rapporteur on Freedom of Religion or belief have jointly sent reports to the Foreign Minister of India, where they have asking about the rights of illegal foreigners and have shown their concerns that the updated National Registrar of Citizenship in Assam may violated the rights of illegal migrants.

Now we would like to ask this esteemed Council and these respected Special Rapporteures what's about the future of endangered indigenous communities of North East India specially Assam? In this regards we would like to inform this Council, indigenous people of Tripura, one of the sister state of Assam, have already became minority in their own birthplace. Illegal immigrants have replaced them to the state of minority and illegal migrants have posed themselves as majority in Tripura.

Till date, illegal immigration from bordering countries continues in Assam. Ethnic violence had erupted as a consequence of this influx between the indigenous community/ tribes and the illegal immigrants owing to the indigenous community/ tribe's antipathy against illegal immigrants who had encroached on the farmer's lands and threatened the identity of the Assamese people of the State along with the tribal. Indigenous community/ tribes - illegal immigrants violence occurred in the state in 1952, 1979-85, 1991-94, 2008 and recently in 2012. In July 2012, Bodoland Territorial Administrative Districts (BTAD), comprising of Kokrajhar, Chirang, Baksa and Udalguri, witnessed a large-scale ethnic violence between these two factions wherein 77 people were killed and 40,000 displaced.

The gravity of the situation was highlighted by former Governor of Assam, Lt. General S.K. Sinha in his report submitted to the President of India in November 1998. In his report he stated "The unabated influx of illegal migrants from Bangladesh into Assam and the consequent perceptible change in the demographic pattern of the state has been a matter of grave concern. It threatens to reduce the Assamese people to a minority in their own state, as happened in Tripura and Sikkim."

The Assam movement was undertaken from 1979 to 1985 to pressure the Central Government to detect, delete and expel the foreign nationals from Assam. This mass movement was ended with the signing of the **Assam accord** on 1985. But in lieu of six year's long movement and lives of 855 Martyrs, Assamese people have lost their valuable rights. The "**Cut of Year**" according to the Assam Accord, expel of Illegal foreigners from Assam is 1971 and based on this Government is processing National Registration of Citizen (NRC) in Assam these days whether it is 1951 for all other parts of India. Unfortunately, since 1986 to 2016 many government of India has been adamantly trying to settle the foreigners in Assam only for their political interest.

The situation worsened after the creation of Bangladesh in 1971 that threatened to alter the demographic trend of Assam. It is a cause of immense concern that as opposed to national average of 331%, the population of Assam has soared by 710% from 1901-2001. As per 2011 census, 34.22% of 31.2 million people constitute the Muslim population of Assam, making 11 out of 33 districts of Assam, Muslim-majority. This census revealed the scaringly declining parameter of Assamese language.

Now we are asking to the United Nations with whom they would do justice? Endangered indigenous People or illegal migrants? We are demanding the official visit of the United Nation's Technical Experts to Assam for better study and observation of the situation of indigenous people.

According to a Government report, 77,420 bighas of state land in the Sipajhar area in Darrang district, Just across the Brahmaputra from the the capital Guwahati, has been occupied by illegal migrants. Of this, 3,000 bighas consisted of professional grazing areas where no human habitation is permitted. In 1994, a total of 199 families squatting on the grazing land, on the grounds that they were affected by floods, were ordered to get out. But shockingly, the squatters not only stayed put, the government even built 12 schools on the grazing land. Large areas of forest land were encroached upon by the immigrants for settlement and cultivation. The state experienced declining percent of land area under forest from 39% in 1951-52 to about 30% now.

The demographics of the lower and central Brahmaputra valley have changed over the past 70years significantly, threatening the very linguistic and cultural structure of indigenous and Assamese peoples. Here we are providing some data regarding huge population growth in Assam.

The high decadal population growth rate of Assam on 1901 was in percentage +11.0 and in India +5.8 and in 2001-2011 the population growth rate was +16.93 and in India +17.6.

At present out of total 27 districts of Assam, the districts that have been facing mostly the crucial problem of illegal migration are -Dhubri,Goalpara, Barpeta, Morigaon, Nagaon, Dhemaji, Cachar, Karimganj and Hailakandi.

Despite having this major population breakdown, the Assam Government has been processing the update procedure of National Register of Citizenship on the base year 1971. Already the final draft has been released. NRC based on 1971 may become the death warrant for the indigenous people of Assam. Government assured that this NRC will be free of any foreigners' name, whereas names of 70 lakhs of illegal migrants have been already included in the draft as per the 1971 cut-off. It's really shameful! Recently, a shocking incident has rocked the state. One government official who has posted as the NRC officer, who later detected as a illegal migrant and also a case has been running against him on Foreigners'' Tribunal Court.

A prominent organization of Assam, Assam Sanmilito Mahasangha and other major organizations has been battling against NRC update as per 1971 and seeking 1951 as the cut off year in the Indian Judiciary platform. But shockingly, indigenous communities raised questions on the role Indian Judiciary and the role of two member bench for allowing the NRC to be based on 1971 electoral rolls which "includes the names of lakh of illegal migrants" when on the same day two member bench had forwarded another case of the organizations regarding the determination of the cut-off date to another five-member bench of the Supreme Court.

It further alleged that the two-member bench has gone against the traditions of the Indian judiciary by not waiting for the verdict of the five-member bench regarding the cut-off date and allowing the NRC to be updated with 1971 as the cut-off date.

Since post colonial era to till now the indigenous people has been fighting to safeguard their land, political and cultural rights. From colonial period, these peoples have been deprived culturally and socially. Their identity is at stake. Many governments, acts and policies were come into existence but indigenous issues are remaining unsolved. Their rights are ignored. Many prominent organizations of Northeast India especially the North East Union, Assam Sanmilito Mahasangha, Veer Lachit Sena, Ahom Sena, Axom Premi Yuva Chatra Samaj, Axom and more than 100 prominent organizations has been consistently working with this severe matter and battling in favor of 1951 as the cut of year for the updated NRC.

The culture, heritage and ethnicity, language, traditions and customs of these indigenous groups are in threat Therefore we request the International community ask the Govt. of India and request and pressurize them for these Indigenous peoples can live a meaningful and respected lives.